

# SENATE BILL 102

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By: **Senators Pipkin and Colburn**

Introduced and read first time: January 21, 2011

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Caroline County – Alcoholic Beverages Act of 2011**

3 FOR the purpose of increasing the number of times a Class BWTS beer and wine  
4 (on-premises) tasting or sampling license may be granted in a calendar year to  
5 a person in Caroline County; altering the hours of sale for certain licensees in  
6 the county; requiring that a licensee in the county or an employee of the licensee  
7 be certified by an approved alcohol awareness program and, except under  
8 certain circumstances, be present during the hours in which alcohol may be  
9 sold; making a stylistic change; and generally relating to alcoholic beverages in  
10 Caroline County.

11 BY repealing and reenacting, without amendments,  
12 Article 2B – Alcoholic Beverages  
13 Section 8–404.2(a) and (b) and 13–101(c)(1)  
14 Annotated Code of Maryland  
15 (2005 Replacement Volume and 2010 Supplement)

16 BY repealing and reenacting, with amendments,  
17 Article 2B – Alcoholic Beverages  
18 Section 8–404.2(i), 11–506, and 13–101(c)(2)  
19 Annotated Code of Maryland  
20 (2005 Replacement Volume and 2010 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
22 MARYLAND, That the Laws of Maryland read as follows:

23 **Article 2B – Alcoholic Beverages**

24 8–404.2.

25 (a) This section applies only in Caroline County.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) The Board of License Commissioners may issue a 1-day Class BWTS  
2 beer and wine (on-premises) tasting or sampling license.

3 (i) A Class BWTS license may not be granted to a person more than [12] 26  
4 times in a calendar year.

5 11-506.

6 Notwithstanding any other provision of this subtitle, in Caroline County the  
7 following licensees may sell alcoholic beverages [between the hours of 12 o'clock  
8 midnight and 2 o'clock a.m. and between 12 o'clock noon and 12 o'clock midnight on  
9 Sunday] **FROM 6 A.M. TO 2 A.M. THE FOLLOWING DAY, ON MONDAY THROUGH**  
10 **SUNDAY:**

11 (1) Class B and C beer;

12 (2) Class H beer and light wine;

13 (3) Class B beer, wine and liquor (7 day); and

14 (4) Class C beer, wine and liquor.

15 13-101.

16 (c) (1) A holder of any class of retail alcoholic beverages license or an  
17 employee designated by the holder shall complete training in an approved alcohol  
18 awareness program. The training shall be valid for a period of 4 years, and the holder  
19 shall complete retraining in an approved program for each successive 4-year period.

20 (2) (i) This paragraph applies only in the following jurisdictions:

21 1. Howard County;

22 2. Montgomery County;

23 3. Kent County;

24 4. Washington County; [and]

25 **5. CAROLINE COUNTY; AND**

26 [5.]6. Except as provided in subparagraph (ii) of this  
27 paragraph, Wicomico County.

28 (ii) This paragraph does not apply to a licensee in Wicomico  
29 County with a Class C license.

1                   (iii) The licensee or a person who is employed in a supervisory  
2 capacity designated by the licensee:

3                               1. Shall be certified by an approved alcohol awareness  
4 program; and

5                               2. Except as otherwise provided in subparagraph (iv) of  
6 this paragraph, be present during the hours in which alcohol may be sold.

7                               (iv) 1. In Howard County, Kent County, Washington County,  
8 and Wicomico County, the person certified by an approved alcohol awareness program  
9 may be absent from the licensed premises for a bona fide personal or business reason  
10 or an emergency, if the absence lasts for [no] NOT more than 2 hours.

11                               **2. IN CAROLINE COUNTY, THE PERSON CERTIFIED**  
12 **BY AN APPROVED ALCOHOL AWARENESS PROGRAM MAY BE ABSENT FROM THE**  
13 **LICENSED PREMISES FOR A BONA FIDE EMERGENCY, IF THE ABSENCE LASTS**  
14 **FOR NOT MORE THAN 2 HOURS.**

15                               [2.]**3.** The Board of License Commissioners shall require the  
16 licensee to keep a log book on the licensed premises that contains documentation of  
17 each temporary absence, the length of time of the absence, and the reason for the  
18 absence, in the form required by the Board of License Commissioners.

19                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
20 July 1, 2011.